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SUBJECT: Repatriated Vietnamese Workers Face Debt and Bureaucratic Red Tape

REFS: A) 08 HANOI 0309; B) 08 HANOI 0356; C) 08 HANOI 0400; D) 08 AMMAN 0902; E) 08 AMMAN 976; F) 08 AMMAN 1262

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11. (SBU) SUMMARY: In a series of interviews conducted in November and December, ten Vietnamese workers repatriated from Jordan in March 2008 shared stories of their recruitment, treatment in Jordan, and the February 2008 strike that ultimately led to their return to Vietnam, as well as their experiences since coming home. According to the workers, the decision by 176 female Vietnamese garment workers to go on strike was prompted by inadequate wages and poor work conditions. They disputed news stories reporting that rival groups of Vietnamese workers attacked each other, instead saying that security personnel employed by the W&D Apparel Company had beaten a number of them. Vietnam, which has no Embassy in Jordan, dispatched regional representatives from the MFA and Ministry of Labor, Invalids, and Social Affairs (MOLISA) to meet with the workers and collaborate with Jordanian officials to resolve the crisis. MOLISA also requested the two Vietnamese labor recruitment firms to send "crisis teams" to Jordan. In March 2008, 157 workers departed Jordan - 156 arrived in Hanoi, while one worker left the group during a flight transfer in Bangkok and remains in Bangkok (reflets). Once home, the ten workers described a frustrating level of official indifference and attempts by the labor recruiting companies to compel their silence. They did not, however, say that they were harassed by local officials. END SUMMARY.

12. (SBU) In a series of interviews in November and December 2008, poloffs spoke individually with 10 of the repatriated workers. Most were initially hesitant about sharing their stories, noting that they did not know if they were "allowed" to tell what happened to them. Several requested that their names not be used in recounting events. Because of this, specific names are not used in the report below; Embassy Hanoi can provide details upon request.

Labor Dispute in Jordan

13. (SBU) All ten of the workers interviewed said they were recruited by either the Footwear Joint Stock Company or the Vietnam Coal Joint Stock Company. None of the workers initially intended to go to Jordan -- some said they were preparing for work in Taiwan -- but all were aware by the time of their departure at various times in the summer or early fall of 2008 that Jordan would, in fact, be their final destination. The workers said they signed their contracts under pressure and without fully understanding the documents on the night before their departure. The contract documents were then held by a representative of the recruiting company, making it difficult for the workers to later make a solid case to their employer regarding the terms and conditions of their employment.

¶4. (SBU) The workers reported that the factory in which they worked, the W&D Apparel Company, paid lower wages than were stipulated in the contract and required them to work significant overtime hours without compensation. Two of the women interviewed said that they were paid less than half the wages received by the factory's Chinese workers. The workers also described cramped and uncomfortable working and living conditions, with unsatisfactory food and a lack of water for bathing.

¶5. (SBU) In February, nearly all of the Vietnamese workers decided to go on strike. The workers rejected the notion that there was violence between the workers during the strike, as was later reported in the Vietnamese media. Instead, they said that that the violence was perpetrated by security employees of the W&D Apparel company in an attempt to frighten them into going back to work.

¶6. (SBU) After the strike began -- the workers could not precisely pinpoint the timing -- Vietnamese officials from the MFA and MOLISA arrived in Jordan and attempted to convince the workers to go back to work. At least three of the interviewees noted that the officials refused workers' requests to intervene to get their back pay and pressure the employer to honor their contracts. When it became clear that the striking workers would not go back to work and wanted to come back to Vietnam, the GVN facilitated their repatriation.

Returning to Vietnam

¶7. (SBU) Upon their return to Hanoi, most of the workers reported being able to return to their homes without incident. Two of the interviewees noted that Vietnamese officials said they suspected some of the returning workers were "reactionaries" for taking money from a foreign NGO, which the government considers hostile. According to one worker interviewed, Vietnamese immigration officers

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briefly held the group for questioning at the airport and then returned their passports and released them. Several of the women interviewed reported that during the strike, the workers had in fact received financial help totaling around USD 6 each from an NGO, through an intermediary, but that they did not know anything about the group and were in desperate need of money.

¶8. (SBU) Three of the interviewees indicated that had been questioned by police since their return to Vietnam. One said she was questioned several times, most recently in October 2008, and asked about her affiliation with foreign NGOs, but has never been fined, detained, or otherwise penalized by the police. The second and third (speaking separately) reported that local police questioned them about their experiences in Jordan, but did not specifically ask about a foreign NGO. The workers explained that the strike was organized to ensure that their labor contracts would be honored. The two were not subsequently questioned.

A Bureaucratic Run-Around

¶9. (SBU) The workers stated that since their return, they have tried several avenues to pursue their claims against the recruiting companies and seek restitution, all without success. Several of the group went to the MOLISA's Department of Overseas Labor to ask them for a resolution. After two days, the Department gave each of them 200,000 VN Dong (approximately \$12 USD) and told them to go home while they worked to resolve their cases. The two recruiting companies also contacted the workers and offered them from USD 150-200, depending on with which company the workers had signed a contract, in exchange for signing a statement abrogating the contract. Some took the money; most did not, at least initially, arguing that they were owed more than that in salary for their work. The recruiting companies tried to pressure them to accept this pay out, stating that the workers actually owed the company in Jordan money for breaking the contract and leaving the country.

¶10. (SBU) After several months with no response from MOLISA, the workers sent complaint letters to the Government Inspectorate, the

Office of the Government, and the Vietnam Women's Union asking for help. One worker said that the Hanoi police also asked MOLISA to investigate. In response, MOLISA Department of Overseas Labor requested that the recruiting companies investigate the workers' allegations against the employing company in Jordan. (Note: The Embassy received copies of several official letters detailing the attempts by the workers to seek redress. End note.) After weeks without progress, many of the workers could no longer afford the travel, time away from their homes, and in some cases from their new jobs, and decided to take the money and sign the documents. A few continue to hold out. (Note: Following the interviews, we have received reports that the Government Inspectorate has scheduled interviews with several of the repatriated workers in response to their petition for investigation. End note.)

Family Trouble and Financial Debts

¶11. (SBU) Although not subject to official harassment, the workers all cited significant family and financial difficulties since their return to Vietnam. A number of the women stated that while the group was on strike, the recruiting company sent representatives to their home villages and told their husbands and families that they were lazy and were out dating men and having affairs instead of working. In some cases, the husbands were told that the women were actually working as prostitutes. As a result, the workers said, several of their husbands are very angry and at least one has filed for divorce. Three of the women interviewed indicated that their husbands had beaten them because of the shame and financial trouble they brought to their families. Though some of the women had found employment, all cited large debts as their greatest challenge. One said she was considering going abroad again for work.

Comment

¶12. (SBU) The experiences of these workers demonstrate the issues Vietnam must address as it aims to ramp up export labor from 75,000 workers going abroad in 2007 to 110,000 by 2010. While the GVN was relatively quick to react to the labor dispute in Jordan and the recent move by the Government Inspectorate is hopeful, the GVN still has a long way to go in building up a legal system where all workers are protected and have well-understood and protected rights to petition. Vietnam has cooperated effectively with the international community to address sex- and foreign bride-related trafficking in persons, but adding recruitment companies, contracts, and labor issues into the mix still confounds the GVN bureaucracy,

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particularly in dealing effectively with workers upon their return.

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